IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 430 OF 2003
IN
SUMMARY SUIT NO. 3358 OF 2002

Kosha Sanjiv Shah and another. ... Plaintiffs.

V/s.

Mitesh Shankerlal Shah ... Defendant.

Ms.Kavita Shah i/b. A.G.Shah for the plaintiffs.

D.H.Mehta i/b. N.M.Shah for the defendant.

CORAM : D.G. KARNIK, J.

DATED : 22nd February, 2005.

P.C. :

. Learned counsel for the parties state that the facts in this case are similar to several other suits wherein unconditional leave has been granted to the defendants to defend the suit. The case numbers have been mentioned in the affidavit-in-reply. I am also satisfied that the defence raised by the defendant in this case is not fictitious, illusory or sham. It requires trial. Hence defendant is granted unconditional leave to defend the suit. The suit shall transferred to the commercial causes. Defendant to file written statement within a period of one month.

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